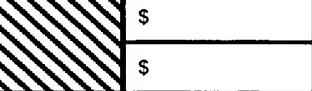


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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 5259-046/NP U.S. APPLICATION NO. (if known) See 37 CFR 1.5) 107522831
INTERNATIONAL APPLICATION NO. PCT/JP2004/001891	INTERNATIONAL FILING DATE 19 February 2004 (19.02.2004)	PRIORITY DATE CLAIMED 27 February 2003 (27.02.2003)
TITLE OF INVENTION Optical Communication Network System, Wavelength-Routing Device, Communication Node, and Optical Path Management Method and Device for Optical Cross Connect Device		
APPLICANT(S) FOR DO/EO/US MORIWAKI, Osamu, et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). </p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). </p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
<p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). Express Mail Trans. (EV 570 160 541 US), Check for \$1,600, Eng. Translation of Formal Drawings (29 pages);</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Form HDP-1449 w/ ISR & 38 cited references, Published App. No. WO 2004/077716 A1, and Return Postcard.</p>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/522831		PCT/JP2004/001891		5259-046/NP	
21. The following fees are submitted:					
<input checked="" type="checkbox"/> a) Basic national fee..... <input checked="" type="checkbox"/> b) Examination fee..... <input checked="" type="checkbox"/> c) Search fee..... 			\$300.00 \$200.00 \$500.00 \$1000.00 \$1,000.00		
TOTAL OF ABOVE CALCULATIONS = <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE	
99 - 100 =	-1 /50 =			x \$250.00	\$ 0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		\$
Total claims	13 - 20 =	0	x \$50.00		\$ 0.00
Independent claims	4 - 3 =	1	x \$200.00		\$ 200.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00		\$ 360.00
TOTAL OF ABOVE CALCULATIONS = <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					
SUBTOTAL = \$ 1,560.00					
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). TOTAL NATIONAL FEE = \$ 1,560.00					
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property TOTAL FEES ENCLOSED = \$ 1,600.00					
Amount to be refunded:  Amount to be charged 					
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>1,600.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>08-0750</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Gregory A. Stobbs					
HARNESS, DICKEY & PIERCE, P.L.C.					
P. O. Box 828					
Bloomfield Hills, MI 48303					
United States of America					
 SIGNATURE <u>Gregory A. Stobbs</u> NAME <u>28,764</u> REGISTRATION NUMBER <u>Dated: February 2, 2005</u>					

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Express Mail No.: EV 570 160 541 US

Date of Deposit: 2 February 2005

Application No.: Not yet assigned – 371 of PCT/JP2004/001891

International
Filing Date: 19 February 2004 (19.02.2004)

Applicant: Osamu MORIWAKI, et al.

Title: OPTICAL COMMUNICATION NETWORK SYSTEM,
WAVELENGTH-ROUTING DEVICE, COMMUNICATION
NODE, AND OPTICAL PATH MANAGEMENT METHOD
AND DEVICE FOR OPTICAL CROSS CONNECT
DEVICE

Attorney Docket: 5259-046/NP

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

EXPRESS MAIL TRANSMITTAL

The following papers are being deposited with the United States Postal Service Express Mail Post Office To Addressee on 2 February 2005 and addressed for receipt by the United States Patent and Trademark Office:

1. Express Mail Transmittal (Label No. EV 570 160 541 US);
2. Check in the amount of \$1,600.00;
3. Transmittal Letter to the DO/EO/US Concerning
a Filing Under 35 USC 371 (2 pages, in duplicate);
4. Application Data Sheet (5 pages);
5. English Translation of International Application (99 Pages);
6. English Translation of Formal Drawings (Figs. 1 – 32D) (29 pages);
7. Signed Declaration and Power of Attorney (4 pages);
8. Assignment Cover Sheet and Assignment (3 pages);
9. IDS with Form 1449, ISR and 38 cited references;
10. Published International Application WO 2004/077716 A1; and
11. Return Postcard.

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600



Susan McGaw